

RESOLUTION NO. 604

A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF BIRCH BAY WATER AND SEWER DISTRICT,
WHATCOM COUNTY, WASHINGTON,
AFFIRMING RESOLUTION 594, AMENDING
RESOLUTION NO. 577 REGARDING SEWER USE CHARGES

BE IT RESOLVED by the Board of Commissioners of Birch Bay Water and Sewer District, Whatcom County, Washington as follows:

Section 1: The sewer charges contained in Resolution No. 594, adopted September 23, 1999, are hereby re-enacted, confirmed and ratified ("affirmed") effective September 23, 1999.

Section 2: Section 1 of Resolution No. 594 is affirmed, and Section 1 of Resolution No. 577, and Section 8.12.020 of the Birch Bay Water and Sewer District Code shall be amended to read as follows:

8.12.020 Service Rates and Charges.

The following rates and charges for furnishing sewage disposal services to property within the District, where available, whether or not a connection to the sewage system of the District has been made, within the following classifications of users, are hereby fixed and shall be paid as follows:

A. Residential Within the District: NINE AND 01/100 DOLLARS (\$9.01) per living unit per month; plus ONE AND 43/100 DOLLARS (\$1.43) per one hundred (100) cubic feet of water used at said residence only for the first two thousand (2000) cubic feet of water used at said residence each two (2) months.

B. Residential Outside the District: THIRTEEN AND 52/100 DOLLARS (\$13.52) per living unit per month; plus TWO AND 12/100 DOLLARS (\$2.12) per one hundred (100) cubic feet of water used at said residence only for the first two thousand (2000) cubic feet of water used at said residence each two (2) months.

C. Commercial (Public Retail, Non-residential, including Water Parks:
Rates shall be per equivalent living units as follows:

1. Commercial Within the District. The minimum base charge shall be the appropriate number of Equivalent Living Units multiplied by NINE AND 01/100 DOLLARS (\$9.01); plus ONE AND 43/100 DOLLARS (\$1.43) per one hundred (100) cubic feet of water used at said premises; provided, however, that any water which the owner can show does not enter the sewer system will be deducted from the water usage for this purpose.

2. Commercial Outside the District. The minimum base charge shall be the appropriate number of Equivalent Living Units multiplied by THIRTEEN AND 52/100 DOLLARS (\$13.52); plus TWO AND 12/100 DOLLARS (\$2.12) per one hundred (100) cubic feet of water used at said premises; provided, however, that any water which the owner can show does not enter the sewer system will be deducted from the water usage for this purpose.

Section 3: Section 2 of Resolution No. 594 is affirmed and Section 2 of Resolution 577 and Section 8.12.030 of Birch Bay Water and Sewer District Code shall be amended to read as follows:

8.12.030 Billing and Handling Charge: In addition to all other charges set forth herein, each billing unit shall be charged a billing and handling charge of ONE AND 59/100 DOLLARS (\$1.59) per month for services located within the District boundaries and TWO AND 39/100 DOLLARS (\$2.39) per month for services located outside the District boundaries.

Section 4: BE IT FURTHER RESOLVED that any resolutions or parts of resolutions in conflict herewith are hereby repealed insofar as they conflict with the provisions of this resolution.

Section 5: If any section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Resolution. The Council hereby declares that it would have passed this code and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases has been declared invalid or unconstitutional, and if, for any reason, this Resolution should be declared invalid or unconstitutional, then the original Resolution or Resolutions shall be in full force and effect.

Section 6: This Resolution shall be effective immediately, subject to Section 1 herein.

PASSED by the Board of Commissioners of Birch Bay Water and Sewer District, Whatcom County, Washington, at a special meeting held the 6th day of December, 2000.


COMMISSIONER

COMMISSIONER


COMMISSIONER

THIS IS TO CERTIFY that the above is a true and correct copy of Resolution No. 604 of Birch Bay Water and Sewer District, Whatcom County, Washington, adopted at the special meeting of the Board of Commissioners on December 6th, 2000.



SECRETARY
Assistant